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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA,	)	CR No. 11-MJ-70677-MAG
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	EXCLUDING TIME UNDER FED. R. CRIM.
v.	)	P. 5.1 & 18 U.S.C. § 3161 AND CONTINUING
	)	STATUS CONFERENCE
CRISTINA DELORES PATINO,	)	
	)	CURRENT DATE: September 8, 2011
	)	CURRENT TIME: 9:30 a.m.
Defendant.	)	
	)	PROPOSED DATE: October 7, 2011
	)	PROPOSED TIME: 9:30 a.m.

On June 16, 2011, the defendant was arrested based on a warrant issued upon a Criminal Complaint pending in the Eastern District of Virginia. That case is pending in the Eastern District of Virginia, case number 11-MJ-455.

The parties anticipate that they will consent to the disposition of the case in the Northern District of California, where the defendant was arrested and is on bond and pretrial supervision. The parties also anticipate that the defendant will consent to proceed by information instead of indictment and waive trial in the Northern District of California.

Therefore, at this time, the parties stipulate and jointly request that, pursuant to Federal Rule of Criminal Procedure ("FRCP") 5.1(d), the time limits set forth in FRCP 5.1(c) be excluded from September 7, 2011 through October 7, 2011. The parties agree that, taking into account the public interest in prompt disposition of criminal cases, good cause exists for this extension. The parties also request that time be excluded under the Speedy Trial Act from September 7, 2011 through October 7, 2011 because the defendant needs additional time to review discovery and to conduct necessary investigation.

The parties also request that the Court continue the status conference scheduled for September 8, 2011 at 9:30 a.m. to October 7, 2011 at 9:30 a.m.

SO STIPULATED:

MELINDA HAAG  
United States Attorney

DATED: September 7, 2011

\_\_\_\_\_/s/  
TAREK HELOU  
Assistant United States Attorney

DATED: September 7, 2011

\_\_\_\_\_/s/  
ELLEN LEONIDA  
Attorney for Defendant Cristina Delores Patino

For the reasons stated above, the Court finds that exclusion of time from September 7, 2011 through October 7, 2011 is warranted and that the ends of justice served by the continuance

1 outweigh the best interests of the public and the defendant in a speedy trial. 18 U.S.C. §3161  
2 (h)(7)(A); FRCP 5.1(d). The failure to grant the requested continuance would deny the  
3 defendant effective preparation of counsel, and would result in a miscarriage of justice. 18  
4 U.S.C. §3161(h)(7)(B)(iv).

5  
6 SO ORDERED.

7  
8 DATED: September 7, 2011

  
THE HONORABLE BERNARD ZIMMERMAN  
United States Magistrate Judge